

**INTERNATIONAL SECTION 214 APPLICATION – ATTACHMENT 1**

- Section 63.18(i)      Applicant certifies that it is not a foreign carrier, but it is affiliated with a foreign carrier as defined by the Commission's rules. The Applicant is 97% owned by Bayan Telecommunications Inc., a Philippine carrier.
- Section 63.18(j)      Applicant certifies that it seeks to provide international telecommunications service to the Philippines and that Bayan Telecommunications Inc., an entity that controls 97% of the Applicant, is a foreign carrier in that country.
- Section 63.18(k)      Applicant certifies that the named foreign country (Philippines) is a member of the World Trade Organization and has been since January 1, 1995.
- Section 63.18(l)      The Applicant satisfies Section 63.10(a)(3). 47 C.F.R. § 63.10 (2005). *See below.*
- Section 63.18(m)      The Applicant qualifies for non-dominant classification pursuant to Section 63.10. 47 C.F.R. § 63.10 (2005). *See below.*
- Section 63.18(p)      Applicant requests and qualifies for streamlined processing pursuant to Section 63.12(c)(1)(ii) because the Applicant qualifies for a presumption of non-dominance under Section 63.10(a)(3). 47 C.F.R. § 63.12, 63.10 (2005).
- Section 63.10(a)(3)      BTI America LLC is 97% owned by Bayan Telecommunications Inc., a Philippine carrier. Bayan Telecommunications Inc. is not a monopoly provider of communications services in any market in the Philippines. Bayan Telecommunications Inc. does not control 50 percent market share in the international transport and the local access markets on the foreign end of the applicable U.S.-international route.